



S&H Form: (09/07)

**REPLY/AMENDMENT
FEE TRANSMITTAL**

| | |
|----------------------|------------------------|
| Attorney Docket No. | 1871.1001 |
| Application Number | 10/539,258 |
| Filing Date | June 16, 2005 |
| First Named Inventor | Bernard Austin TIMINGS |
| Group Art Unit | 2841 |
| Examiner Name | GIBSON, Randy W. |

AMOUNT ENCLOSED

0.00

FEE CALCULATION (fees effective 09/30/07)

| CLAIMS AS AMENDED | Claims Remaining After Amendment | Highest Number Previously Paid For | Number Extra | Rate | Calculations |
|--------------------|----------------------------------|------------------------------------|--------------|---------------|--------------|
| TOTAL CLAIMS | 16 | - 20 = | 0 | X \$ 50.00 = | \$ 0.00 |
| INDEPENDENT CLAIMS | 2 | - 3 = | 0 | X \$ 210.00 = | 0.00 |

Since an Official Action set an original due date of January 11, 2008, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$460)); (3 months (\$1,050)); (4 months (\$1,640)); (5 months (\$2,230));

If Notice of Appeal is enclosed, add (\$510.00)

If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$130.00)

Information Disclosure Statement (Rule 1.17(p)) (\$180.00)

Total of above Calculations =

\$ 0.00

Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)

TOTAL FEES DUE =

\$ 0.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

- ☐ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☐ No payment is enclosed.

GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No. 19-3935

Deposit Account Name STAAS & HALSEY LLP

- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name Luminita A. Todor

Reg. No. 25,908

Signature

L Todor

Date

Nov. 20, 2007

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RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
Docket No.: 1871.1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Bernard Austin TIMINGS

Serial No. 10/539,258

Group Art Unit: 2841

Confirmation No. 2425

Filed: June 16, 2005

Examiner: Randy W. Gibson

For: METHOD AND APPARATUS FOR COUNTING ITEMS IN A CONTAINER (AS
AMENDED)

AMENDMENT AFTER FINAL REJECTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
BOX AF

Sir:

This is in response to the Office Action mailed October 11, 2007, and having a period for response set to expire on January 11, 2008.

Applicant respectfully requests entry of this Amendment under 37 C.F.R. §1.116 because the only rejected claim is cancelled thereby putting this application into condition for allowance.

The following amendments and remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.